

Date:

3/9/01

Health Care Authority

Administrative Policy

No. 3-01

Chapter 3: Employment

Contact: Human Resource Manager

Effective: March 1, 2001

Issued: March 1, 2001

Reference: RCW 42.52

Supersedes: New

WAC 356-46-060

Forms Used: N/A

Approved by:

Administrator

Hiring of Relatives

PURPOSE

The Health Care Authority is committed to a working environment that reflects and reinforces the values of fairness and integrity. It is the intent of the agency to avoid both the appearance and the reality of preferential treatment for relatives in employment and promotional opportunities. This policy defines situations in which the employment of relatives violates that commitment and is therefore prohibited.

DEFINITIONS

Relative	Includes any of the following people related to an HCA employee by biological heritage, marriage (including in-laws), or adoption: spouse, child, parent, grandparent, grandchild, sister, brother, aunt, uncle, niece, nephew, or first cousin. Relative also includes opposite-sex and same-sex domestic partners.
Employee	Includes any person employed by the department including permanent, temporary, and intermittent staff, and people employed in capacities exempt from all or part of the Merit System Rules (WAC 356).
Supervisor	Includes not only the immediate supervisor of an employee, but also any other person present in the direct chain-of-command between the employee and the Administrator or who has responsibility for performance audits, financial audits or other direct performance evaluation of the employee.
Administrator/ Administrator's Designee	The Administrator of the HCA and the Assistant Administrators who are, under this policy, delegated specific authority by the Administrator for approving exceptions to this policy for their respective divisions.

POLICY

1. **No person may hire his or her own relative into any position in the agency unless a written exception, as provided below, has been obtained from the Administrator/Administrator's designee prior to the offer of employment.**

Prior to making an offer of employment, any employee with hiring authority must ask if the prospective employee is a relative of any person within the definition of supervisor for the position into which he/she would be hired. If the prospective employee is a relative of a supervisor, as defined in this policy, employment may not be offered unless a written exception has been granted. Any employee who is discovered, at any time subsequent to employment, to have failed to disclose that he/she is related to a supervisor or a supervisor who fails to disclose that he/she is related to an employee in

his/her chain-of-command, will be subject to corrective/disciplinary action up to and including dismissal.

Agency employees will not be considered for promotion or transfer into positions that are supervised by a relative or which would result in supervision of a relative.

2. **Under extraordinary circumstances, and upon the submission of written justification by the relevant manager or supervisor, the Administrator/Administrator's designee may grant written exceptions to this policy.**

Such exceptions may prescribe that certain conditions or practices be followed in order to help mitigate the conflict of the supervisor/employee relationship.

Such requests for exception must include:

- The name of the employee to be supervised
- The position title of the supervised employee
- The name and title of the supervisor
- The nature of the relationship of the supervisor to the employee
- The supervisory relationship (evaluating supervisor, second-line supervisor, etc.)
- The reason(s) for the proposed exception to the policy
- Proposed measures to mitigate the conflict of interest

The agency Human Resource Office will review and make recommendations to the Administrator/Administrator's designee for exceptions.

3. **Relatives of HCA staff in Executive Management (including Internal Audit) or the Human Resource Office may NOT be hired into non-permanent positions.**
4. **Violation of this policy by any employee of the agency may result in corrective or disciplinary action, up to and including dismissal.**
5. **Regardless of exceptions granted in the past, any employee supervised by a relative must, within thirty (30) calendar days of the effective date of this policy, apply in writing to the Administrator/Administrator's designee for an exception.**

Requests will be submitted through the relevant manager or supervisor. In these cases, every effort will be made to separate the supervisory relationship of the relatives.

6. **When employees become relatives after they are hired by the department, every effort will be made to ensure that neither person is a supervisor of the other.**

In cases where a change in reporting relationship is not feasible, the Administrator/Administrator's designee may place appropriate conditions in writing on their employment. It is the responsibility of the employee(s) to inform their appointing authority of their change in status within thirty (30) calendar days.

7. **Any employee whose request for an exception is denied or who finds the conditions of mitigation unacceptable may, within five (5) calendar days of the receipt of the response, request a review of the decision by the Administrator.**

No adverse personnel action will be taken by the agency as a result of the denial until the review has been completed.

APPROVED
Executive Ethics Board

Date: 3/9/01